



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: )  
)  
WILLIAM BRANDT GOLDSWORTHY )  
)  
SERIAL NO.: 10/037,814 )  
)  
FILED: DECEMBER 28, 2001 ) GROUP ART UNIT NO. 2839  
)  
TITLE: COMPOSITE REINFORCED )  
ELECTRICAL TRANSMISSION )  
CONDUCTOR )  
)  
EXAMINER: SON V. NGUYEN )

REQUEST TO REVIVE AN ABANDONED PATENT APPLICATION

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

Inasmuch as the applicant had not received any communication from the U.S. Patent and Trademark Office, the office of the applicant's undersigned representative did contact the U.S. Patent and Trademark Office on a few occasions to determine the status of this application. In fact, attached to the declaration of Liliana Cancino are copies of memoranda to file reporting contacts with the U.S. Patent and Trademark Office for this application.

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OFFICE OF PETITIONS

Ms. Cancino, at the request of the undersigned attorney, requested a copy of the Notice dated February 4, 2002, inasmuch as the same had never been received in this office. Upon receiving that Notice, the undersigned immediately started preparation of a response to that Notice and of this Request to Revive.

The undersigned representative of the petitioner-applicant has an office in an office building in which all mail is delivered to a central mail room and is retrieved from that mail room by the various occupants of that building. The petitioner-applicant's undersigned representative has one person in his office who daily retrieves the mail and that person, in this case, is Ms. Liliana Cancino. Ms. Cancino always retrieves the mail and when the mail is opened, she automatically date stamps every piece of mail, except for official documents, such as issued U.S. patents or trademark registrations.

When Ms. Cancino opens and date stamps incoming mail, if a response date is required, then she automatically docket that response date in her docket book and notes the response date on the document and initials same. She then gives that document to the undersigned representative's secretary, Ms. Pauline Barraza, our former secretary (now Ms. Sarah Mitchell, our present secretary) who, in turn, docket same and also initials the document. In this way, when the undersigned receives the document, he can immediately

examine the document in order to see that it has been properly docketed.

If the petitioner-applicant's representative had received that document dated January 2, 2001, it would have been docketed in the docket books of both Ms. Cancino and Ms. Barraza, for review by April 4, 2002. The petitioner is enclosing photocopies of the docket sheets for April 4, 2002 to show that no entry thereof was ever made. This was for the reason that the document from the U.S. Patent and Trademark Office was never received in this office.

The petitioner has diligently prosecuted this application and is desirous of securing protection thereon. The petitioner therefore petitions the U.S. Patent and Trademark Office to revive this application inasmuch as it became abandoned as a result of no failure on the part of the petitioner.

Ms. Cancino and the petitioner's undersigned attorney of record have thoroughly examined the file jacket for this application and have examined the entire file contents thereof. The petitioner's undersigned attorney uses a three panel file for patent applications and in which correspondence between the petitioner and the undersigned attorney is located in the right hand panel and communications between the Patent Office and the undersigned attorney are located in the center panel. References are located on the left hand panel. The contents of all three

panels were carefully examined and no copy of the Notice was found.

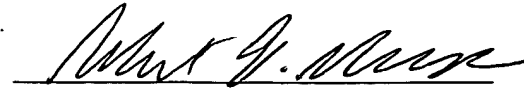
The undersigned attorney has experienced other situations in which Notices mailed by the U.S. Patent and Trademark Office were not received at this office. Moreover, this office has also experienced several occasions in which mail sent from this office was not received by the intended recipient. In fact, the undersigned has contacted the local Woodland Hills branch of the U.S. Postal Service and complained about this fact to the manager of that branch. As anticipated, no ostensible action was taken by that post office branch, and the undersigned was merely given a platitude that all mail received at the Woodland Hills branch of the Post Office is always delivered promptly. Nevertheless, given the frailties of the Postal Service, the undersigned always endeavors to promptly respond to communications from the U.S. Patent and Trademark Office.

Please charge any costs in connection with this petition to Deposit Account No. 19-0258.

An early revival of this application is therefore respectfully solicited.

Dated: June 18, 2003

Respectfully submitted,

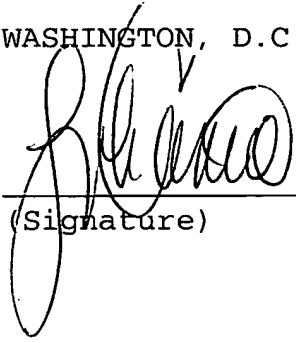
A handwritten signature in cursive script, appearing to read "Robert J. Schaap", is written over a horizontal line.

ROBERT J. SCHAAP  
Attorney for Applicant  
Registration No. 20,577  
(818) 346-6555

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CERTIFICATE OF MAILING

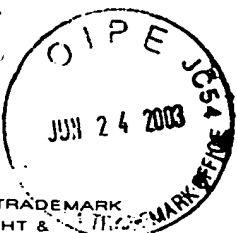
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231 on 6/18, 2003.

A handwritten signature in black ink, appearing to be "R. L. ...", written over a horizontal line.

(Signature)

Date of Signature: 6/18, 2003

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CAUSES

OF COUNSEL  
LENSKE, LENSKE & ABRAMSON

LAW OFFICES  
**ROBERT J. SCHAAP**  
A PROFESSIONAL CORPORATION  
21241 VENTURA BOULEVARD, SUITE 188  
WOODLAND HILLS, CALIFORNIA 91364-2109  
TELEPHONE (818) 346-6555  
FAX (818) 346-2041

LOS ANGELES OFFICE  
5601 WEST SLAUSON BOULEVARD  
SUITE 178  
LOS ANGELES, CALIFORNIA 90230  
TELEPHONE  
(310) 645-6460

March 12, 2003

Woodland Hills Branch Post Office  
22121 Clarendon St.  
Woodland Hills, CA 91367

Attn.: Cindy Pritchard, Complaints

Re: Mail Service

Dear Ms. Pritchard:

Unfortunately, this is not the first time that we have had to complain to the Woodland Hills Branch of the Post Office. We have found on numerous occasions where correspondence which we send is not received by the recipient, and in addition, we have numerous cases where correspondence which was intended for this office never reached this office.

Within the past year alone, over one dozen pieces of mail were not received by this office, and we ultimately obtained copies through a fax or other means. I have never had such poor postal service since I have moved into this office in the Woodland Hills area. Frankly, the service of this branch of the Post Office is appalling.

Our problem is particularly pronounced, since this is a law office dealing in intellectual property matters. We have had numerous instances where mail sent by the U.S. Patent and Trademark Office, and properly addressed, was never received at this office. Fortunately, the Examiners will initiate phone calls in order to determine if we intended to permit a matter to become abandoned. In addition, we have had situations which have arisen where documents were sent by a court and, again, never received at this

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Ms. Cindy Pritchard  
Woodland Hills Post Office  
June 12, 2003  
Page 2

office.

If the situation regarding the mail is not corrected, then I will take this issue directly to the Director's Office in Washington, D.C. I regret the necessity of expressing my concern in such strong terms, but this problem is becoming very pronounced.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert J. Schaap", written in dark ink.

ROBERT J. SCHAAP

RJS:pjb

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MEMORANDUM

TO: BOB

FROM: LILIANA

DATE: May 1, 2003

RE: CONTINUATION APP. SERIAL NO. 10/037,814

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I HAVE RECEIVED A CALL FROM AN EXAMINING PETITIONER BY THE NAME OF PHILP GAMBLE. I ASKED EXAMINER GAMBLE HOW WE WOULD GO ABOUT REVIVING THIS CASE. HE SAID THAT WE WOULD HAVE TO SHOW PROOF OF THOROUGHLY CHECKING THE FILE AND COPIES OF THE DOCKET SHEETS. HE THEN ASKED ME HOW DID I FIND OUT THIS CASE HAD GONE ABANDONED AND I TOLD HIM THAT I WAS CALLING TO CHECK STATUS SINCE WE NEVER RECEIVED FILING RECEIPT OR ANY TYPE OF NOTICE. HE THEN STATED THAT WE HAVE A GOOD CHANCE OF REVIVING SINCE WE DID NOT RECEIVE A NOTICE OF ABANDONMENT SINCE THE PTO HAS FAILED TO ISSUE ONE AND WE TOOK THE EFFORT TO CHECK STATUS BUT THAT WE SHOULD ANSWER VERY QUICKLY. HE ALSO STATED THAT WE SHOULD INCLUDE IN THE DECLARATION THAT THE PERSON I SPOKE TO AT OPEI SAID THAT THERE WAS NO NOTICE OF ABANDONMENT YET ISSUED. (THAT WOULD HELP). HE SUGGESTED THAT ON ALL CASES THAT GO ABANDONED AND WE NEED TO REVIVE THAT WE DO IT BY FAX SINCE THEY MATCH UP THE PAPER WORK TO FILE QUICKLY INSTEAD OF THE MAIL PROCEDURE SINCE IT WOULD PROBABLY JUST SIT IN THE MAIL ROOM FOR A WHILE.

PETITIONS FAX NUMBER: 703-308-6916

MEMORANDUM

TO: BOB

FROM: LILIANA

DATE: May 1, 2003

RE: GOLDWORTHY CONTINUATION APP. BASED ON 285' CRAC 1

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I SPOKE TO WINNETE STOPPER AT THE USPTO CUSTOMER SERVICE, SINCE I WAS NOT ABLE TO REACH THE EXAMINER NYUGEN. MS. STOPPER SUGGESTED I CALL THE OEPI UNIT WHERE THE CASE IS AT NOW. I ALSO TOLD HER THAT WE HAD NOT RECEIVED A FILING RECEIPT IF SHE CAN GIVE ME THE NUMBER IT WAS ASSIGNED THE CASE WAS GIVEN A SERIAL NO. OF 10/037,814.

I THEN CALLED OEPI AND SPOKE TO A MR. WILLIAMS AT 703-308-1202. MR. WILLIAM STATED THAT THE CASE HAS GONE ABANDONED FOR FAILURE TO ANSWER TO A NOTICE OF MISSING PART THAT WAS ATTACHED TO THE FILING RECEIPT. I EXPLAINED TO MR. WILLIAMS THAT WE HAD NEVER RECEIVED SUCH DOCUMENT AND THAT IF HE CAN PLEASE FAX IT OVER AND WHAT WAS THE DOCUMENT THAT THEY WERE REQUESTING AS MISSING AND A CHARGE FOR \$65.00. HE SAID THE OATH WAS NOT INCLUDE WHEN THE CASE WAS FILED. HE THEN SUGGESTED THAT I CALL THE PETITIONERS OFFICE TO ASK HOW WE CAN PAY \$130.00 TO GET THE CASE REINSTATED.

I THEN CALLED THE OFFICE OF PETITIONS AT 703-305-9282 AND SPOKE TO MS. NICKY THE RECEPTIONIST. SHE SAID THAT ALL THE PETITION ATTORNEYS WERE BUSY AND THAT SHE WOULD TAKE MY NAME AND NUMBER AND HAVE SOMEONE CALL ME BACK TO LET ME KNOW HOW WE CAN GO ABOUT REINSTATING THIS CASE.



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CAUSES

OF COUNSEL  
LENSKE, LENSKE & ABRAMSON

LAW OFFICES  
**ROBERT J. SCHAAP**  
A PROFESSIONAL CORPORATION  
21241 VENTURA BOULEVARD, SUITE 188  
WOODLAND HILLS, CALIFORNIA 91364-2109  
TELEPHONE (818) 346-6555  
FAX (818) 346-2041

*DAC/113*  
*#3*  
LOS ANGELES OFFICE  
5601 WEST Slauson Boulevard  
SUITE 178  
LOS ANGELES, CALIFORNIA 90230  
TELEPHONE  
(310) 645-6460

June 17, 2003

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 10/037,814 for Composite  
Reinforced Electrical Transmission Conductor

Dear Sir:

The applicant in the above-identified patent application is  
herewith filing a Request to Revive an abandoned patent  
application, a supporting declaration and a response to the Notice  
to file missing parts of an application dated February 4, 2002.


It is believed no fee is required for the submission of this  
petition, since any error does not rest on the part of the  
applicant.

Please charge any additional costs or credit any overpayment  
to Deposit Account No. 19-0258.

Please also process this Request to Revive at an early date.

Dated: June 18, 2003

Respectfully submitted,

  
ROBERT J. SCHAAP  
Registration No. 20,577  
Attorney for Applicant  
(818) 346-6555

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: )  
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 WILLIAM BRANDT GOLDSWORTHY )  
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 SERIAL NO.: 10/037,814 )  
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 FILED: DECEMBER 28, 2001 ) GROUP ART UNIT NO. 2839  
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 TITLE: COMPOSITE REINFORCED )  
 ELECTRICAL TRANSMISSION )  
 CONDUCTOR )  
 )  
 EXAMINER: SON V. NGUYEN )

DECLARATION OF ROBERT J. SCHAAP IN SUPPORT OF  
PETITION TO REVIVE AN ABANDONED PATENT APPLICATION

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

COMES NOW, ROBERT J. SCHAAP, and states and declares as follows:

That I have personally made an examination of the file of this application, and I have examined other files in this office relating to W. Brandt Goldsworthy and Associates. We have found no document dated February 4, 2002, for any such application and, particularly, for this present application.

Upon being advised by Ms. Cancino that she had called the

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Patent Office on a few occasions, and discovered the application had become abandoned, I immediately took those steps to revive the application.

The Notice of missing parts of non-provisional patent application only called for the submission of a copy of the oath attached to the original or parent patent application, since the continuation application was filed under 37 C.F.R. 1.53. That is a relatively simple matter and can be easily and readily handled. Consequently, we would not have let this application become abandoned for failure to address the filing of missing parts of patent application.

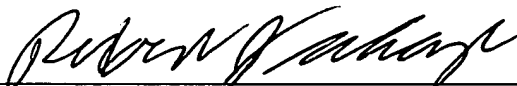
I am also aware that the applicant in this case had instructed the office of the undersigned attorney to take action to abandon two other patent applications in the not to distant past. However, the applicant did express his interest and desire to maintain this present application and expressed the importance of this application. Consequently, we would not have permitted this application to intentionally have become abandoned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the Unites States Code, and that such

willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Dated: June 17, 2003

Respectfully submitted,

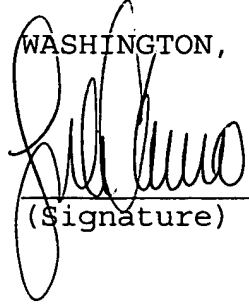


ROBERT J. SCHAAP  
Registration No. 20,577  
Attorney for Applicant  
(818) 346-6555

C:\Documents and Settings\All Users\Documents\Data\Goldsworthy\10037814\Declaration of Robert J.wpd

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231 on 6/18, 2003.



(Signature)

Date of Signature: 6/18, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: )  
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 WILLIAM BRANDT GOLDSWORTHY )  
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 SERIAL NO.: 10/037,814 )  
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 FILED: DECEMBER 28, 2001 ) GROUP ART UNIT NO. 2839  
 )  
 TITLE: COMPOSITE REINFORCED )  
 ELECTRICAL TRANSMISSION )  
 CONDUCTOR )  
 )  
 EXAMINER: SON V. NGUYEN )

DECLARATION OF LILIANA CANCINO IN SUPPORT OF  
PETITION TO REVIVE AN ABANDONED PATENT APPLICATION

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

COMES NOW, LILIANA CANCINO, and states and declares as  
follows:

I am the Office Administrator in the office of Robert J.  
Schaap, A Law Corporation, and have been for many years.

As part of my duties, on a daily basis, I walk to the mail  
room of the office building in which we are located, since all mail  
is delivered to that mail room. Mail is placed in a separate  
compartment allocated for this office, and I will pick up the mail  
in that compartment and deliver same to this office. When the mail

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is received, I docket the mail and docket any matters requiring response, and give a copy of that document to the secretary of Mr. Schaap, namely, a Pauline Barraza who recently left the employ of this office. She similarly makes an entry in her docket book. We also initial each Office Action which is received, and which identifies the date in which a response is due and is initialed by both Mr. Schaap's secretary and myself.

I briefly discussed this matter with Mr. Schaap and advised him that we had not received any communication in this application for some period of time and that we had never even received the filing receipt. Mr. Schaap instructed me to contact the U.S. Patent and Trademark Office and particularly the Examiner in the parent application in order to determine the status of this application. Attached hereto are two memorandums to file which I had prepared based on my telephone communications with the Patent Office. When I discovered that the application had potentially gone abandoned, I immediately brought this matter to the attention of Mr. Schaap and I am aware that he immediately took action to revive same.

I do know that we have never received a copy of the Notice of missing parts of application dated February 4, 2002, or any Notice of Abandonment. Otherwise, I would have brought each of such documents to Mr. Schaap's attention. I know that he would have immediately taken some action. I am also aware that this

application is very important to the client.

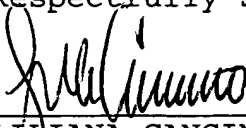
When an Office Action or other document requiring response is received, I immediately docket that Office Action and provide the same to Mr. Schaap's secretary, who also docket the Office Action in a separate docket book. The enclosed sheets are docket sheets from our docket books for April of 2002.

I have also personally examined the file of this application, and I have examined the other files of W. Brandt Goldsworthy and Associates, the assignee of this application. We have found no document dated February 4, 2002 or any Notice of Abandonment.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

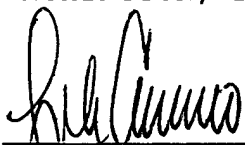
Dated: 6/17, 2003

Respectfully submitted,

  
\_\_\_\_\_  
LILIANA CANCINO

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231 on 6/18, 2003.

  
(Signature)

Date of Signature: 6/18, 2003

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